

ORIGINAL

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

CASE NO. 3:86-cr-00132-RPC

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTURO CORREA-ARROYAVE,

Defendant.

\_\_\_\_\_ /

**FILED**  
HARRISBURG, PA  
DEC 06 2004  
MARY E. D'ANDREA, CLERK  
Per RM  
Deputy Clerk

**MOTION TO ABATE PROCEEDINGS**

COMES NOW Irwin G. Lichter, Esquire in the interest of, ARTURO CORREA-ARROYAVE, and files herewith his Motion to Abate the Proceedings herein and in support would show as follows:

1. Defendant ARTURO CORREA-ARROYAVE was indicted in 1986 in the Middle District of Pennsylvania and charged with Conspiracy to import, distribute and possess with intent to distribute cocaine.

2. The undersigned has entered his appearance in the interest of Defendant, ARTURO CORREA-ARROYAVE.

3. Counsel has been informed that Defendant, ARTURO CORREA-ARROYAVE, died in July, 1986 in Medellin, Colombia. A copy of the Death Certificate is attached hereto.

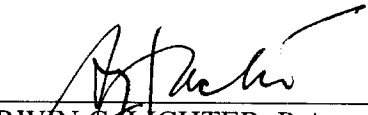
3. Under the rules of Abatement, the death of a criminal defendant prior to the entry of final judgment abates, *ab initio*, the entire criminal proceedings. *United*

*States v. Pogue*, 19 F.3d 663 (D.C. Cir. 1994); *United States v. Asset*, 990 F.2d 208 (5th Cir. 1993).

4. The undersigned has contacted A.U.S.A. Gordon Zubrod who has indicated that he does not agree with this motion.

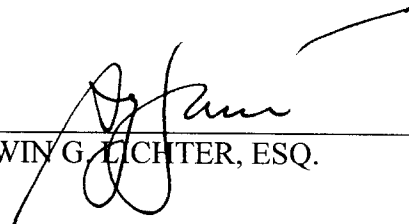
WHEREFORE, the Movant respectfully requests this Honorable Court enter an Order Abating the proceedings herein with regard to Defendant, ARTURO CORREA-AROYAVE.

Respectfully submitted,

  
\_\_\_\_\_  
IRWIN G. LICHTER, P.A.  
321 N.E. 26<sup>th</sup> Street  
Miami, FL 33137  
Tel: (305) 573-0551  
Fax: (305) 573-6251

**CERTIFICATE OF SERVICE**

I HEREBY certify that a true and correct copy of the foregoing Motion to Abate was mailed to A.U.S.A. Gordon Zubrod, Federal Building, 228 Walnut Street, Room 220, Harrisburg, PA 17108 this 2nd day of December, 2004.

  
\_\_\_\_\_  
IRWIN G. LICHTER, ESQ.



República de Colombia - Departamento de Antioquia

## Notaría Primera de Rionegro

La Notaria Primera de Rionegro de conformidad con lo dispuesto por el  
 Artículo 115 del Decreto No. 1.260 de 1970

## CERTIFICA:

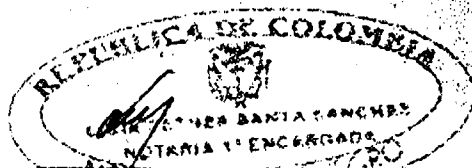
Que en el día 20 del mes de NOVIEMBRE de 1986 se registró la muerte de  
RAMIRO ARTURO CORREA ARROYAVE hecho ocurrido en Rionegro (Ant.)

el día DOCE (12) del mes de JULIO de  
MIL NOVECIENTOS OCHENTA Y SEIS la causa principal de la muerte fue -----

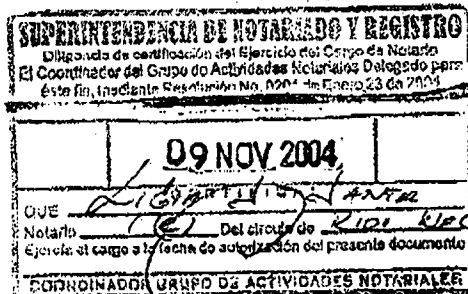
Que la certificó el Dr. ----- Registro No. ----- el  
 (la) finado(a) era hijo(a) de JUAN DE LA CRUZ CORREA y de ANA OTILIA ARROYAVE.

Esta certificación está exenta de los impuestos de papel sellado y timbre nacional, numerales 4 del Art. 13  
 y 37 del Art. 26 de la Ley 2da. de 1976.

Rionegro, Octubre 19 de 2004



LIGIA ESTHER SANTA SÁNCHEZ  
 Notaria 1ra. (E) de Rionegro (Ant.)



Republic of Colombia – Department of Antioquia

**First Notary of Rionegro**

The First Notary of Rionegro according to what is allow by  
Article 115 of Decree No. 1,260 of 1970

**CERTIFIES**

That on the 20 day of the month of November of 1986 was registered the death  
of RAMIRO ARTURO CORREA ARROYAVE which occurred in Rionegro (Ant.)  
the day TWELVE (12) of the month of JULY of ONE THOUSAND NINE HUNDRED  
EIGHTY AND SIX the principal cause of death was \_\_\_\_\_  
That it was certified Doctor \_\_\_\_\_ Register No. \_\_\_\_\_ the  
deceased (she)(is) are the son (daughter) of JUAN DE LA CRUZ CORREA and of ANA  
OTILIA ARROYAVE.

This certification is exempt from the taxes of sealed paper and national seal, numbers 4 of  
Art. 13 and 37 of Art. 26 of the 2nd Law of 1976

Rionegro

October 19 of 2004

Seal of the Republic of Colombia  
name—Notary in charge  
Signature line  
LIGIA ESTHER SANTA SANCHEZ  
1<sup>ST</sup> Notary (E) of Rionegro (Ant.)

Seal of the Register and Superintendent of  
Notary  
Nov. 9 2004  
Signature